

REMARKS

Claims 1-14 were examined and reported in the Office Action. Claims 1-14 are rejected. Claims 1-14 remain.

Applicant requests reconsideration of the application in view of the following remarks.

I. **35 U.S.C. §102(e)**

It is asserted in the Office Action that claims 1-14 are rejected under 35 U.S.C. §102(e) as being anticipated by Logan et al. ("Logan") in U.S. Publication 2005/0153729. Applicant respectfully traverses the aforementioned rejection for the following reasons.

According to MPEP §2131,

[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.' (Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)). 'The identical invention must be shown in as complete detail as is contained in the ... claim.' (Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989)). The elements must be arranged as required by the claim, but this is not an *ipsissimis verbis* test, *i.e.*, identity of terminology is not required. (In re Bond, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990)).

Applicant's claim 1 contains the limitations of

a) determining whether a termination request inputted by a user of the mobile terminal is for expanded termination or basic termination; b) if the termination request is for the basic termination, performing a basic termination process; and c) if the termination request is for the expanded termination, performing an expanded termination process.

Applicant's claim 7 contains the limitations of

a) determining whether a termination mode is an expanded termination or a basic termination when a termination signal is received from the mobile terminal; b) if

the termination mode is the basic termination, storing information indicating that the mobile terminal is power-off; and c) if the termination mode is the expanded termination, registering a greeting for the mobile station based on greeting information.

Applicant's claim 11 contains the limitations of

a) receiving a termination mode from a user; b) determining whether a termination mode is for an expanded termination or a basic termination; c) if the termination mode is for the expanded termination, determining whether greetings are to be edited or not; and d) if the greetings are to be edited, performing greeting conversion process.

Logan discloses a method and apparatus for transmitting prerecorded phrases, sounds and messages to a remote listener during a telephone conversation.

Distinguishable, Applicant's claimed invention relates to a method for registering a greeting for a caller in the mobile terminal by transmitting short text data or voice data to a base station to convey the greetings to a caller while a user of the mobile terminal cannot answer the phone call. Further, as asserted in claims 1, 7 and 11, a mobile terminal determines whether the termination request is an expanded termination or a basic termination. Logan, however, discloses that the pushbuttons or keys provided on the cellular telephone are manipulated by the operator to select one of the pre-recorded messages for transmission to the remote caller. (Logan, paragraphs 0014-0016). Logan does not teach, disclose or suggest "the expanded termination or basic termination."

Regarding Applicant's claims 5, 9 and 13, Applicant asserts the process of performing an expanded termination where the mobile communication system prevents the mobile terminal from receiving a call and transmits the greeting to a caller. Logan, however, discloses that a specified pre-recorded message file may be associated with one or more telephone numbers which, if identified by the caller ID mechanism for an incoming call, cause that message file to be played as a special greeting.

Regarding Applicant's claims 6, 10 and 14, Applicant asserts performing an expanded termination where the mobile terminal is powered-on and remains in a wait

state, but the reception of a call is prevented. In Logan, however, the message may be transferred from the remote caller to the cellular handset for storage in the data memory when the cellular phone is idle or via an unused channel when the cellular phone is used.

Therefore, since Logan does not disclose, teach or suggest all of Applicant's claims 1, 7 and 11 limitations, Applicant respectfully asserts that a *prima facie* rejection under 35 U.S.C. § 102(e) has not been adequately set forth relative to Logan. Thus, Applicant's claims 1, 7 and 11 are not anticipated by Logan. Additionally, the claims that directly or indirectly depend on claims 1, 7 and 11, namely claims 2-6, 8-10, and 12-14, respectively, are also not anticipated by Logan for the same reason.

Accordingly, withdrawal of the 35 U.S.C. §102(e) rejection for claims 1-14 is respectfully requested.

CONCLUSION

In view of the foregoing, it is believed that all claims now pending, namely 1-14, patentably define the subject invention over the prior art of record and are in condition for allowance and such action is earnestly solicited at the earliest possible date.

If necessary, the Commissioner is hereby authorized in this, concurrent and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2666 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17, particularly extension of time fees. If a telephone interview would expedite the prosecution of this Application, the Examiner is invited to contact the undersigned at (310) 207-3800.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR, & ZAFMAN LLP

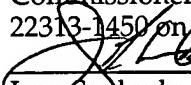
By: 
Steven Laut, Reg. No. 47,736

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12400 Wilshire Boulevard
Seventh Floor
Los Angeles, California 90025
(310) 207-3800

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I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail with sufficient postage in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, Virginia 22313-1450 on January 3, 2006.


Jean Svoboda